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Letter dated 6 May 2009 from the Chairman of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia (see annex), which covers the Committee's activities during the period from 1 January to 31 December 2008. The report is submitted in accordance with the note by the President of the Security Council dated 29 March 1995 (S/1995/234).

(*Signed*) Abdurrahman Mohamed **Shalgham**
Chairman
Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia

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Annex

Report of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia

I. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia covers the period from 1 January to 31 December 2008. The web page of the Committee is available at www.un.org/sc/committees/1521/index.shtml.

2. For 2008, the Bureau consisted of Giadalla Azuz Ettalhi (Libyan Arab Jamahiriya) as Chairman, with the delegations of Indonesia and South Africa providing the Vice-Chairmen. During the reporting period, the Committee held one formal meeting and 10 informal consultations.

II. Background information

3. Previous sanctions regimes concerning Liberia were imposed by the Security Council by its resolutions 788 (1992) and 1343 (2001), respectively. In its resolution 1521 (2003), the Council decided to revise the legal basis of the sanctions to reflect the changed circumstances in Liberia, in particular the departure of former President Charles Taylor, the formation of the National Transitional Government of Liberia and progress with the peace process in Sierra Leone. Under resolution 1521 (2003), the Council dissolved the Committee established pursuant to resolution 1343 (2001) and established a new Committee to oversee the implementation of the measures as modified and reimposed by the same resolution: an arms embargo, restrictions on the travel of individuals designated by the Committee on the basis of the criteria contained in the resolution, and prohibitions on the import of rough diamonds and round logs and timber products originating in Liberia. By resolution 1521 (2003) the Council also established a Panel of Experts consisting of up to five members, to provide the Committee with information regarding the implementation of the measures and progress made towards meeting the conditions for the lifting of sanctions. On 16 March 2004, the Committee issued a new travel-ban list, containing the names of individuals subject to travel restrictions imposed by paragraph 4 of resolution 1521 (2003).

4. By paragraph 1 of resolution 1532 (2004), the Security Council decided that, in order to prevent former Liberian President Charles Taylor, his immediate family members, senior officials of the former Taylor regime, or other close allies or associates designated by the Committee from using misappropriated funds and property to interfere in the restoration of peace and stability in Liberia and the subregion, all States would freeze without delay funds, other financial assets and economic resources owned or controlled directly or indirectly by Charles Taylor, Jewel Howard Taylor, Charles Taylor, Jr., and/or those other individuals designated by the Committee. On 14 June 2004, the Committee issued its initial list of individuals and entities subject to the measures contained in paragraph 1 of resolution 1532 (2004) (the assets-freeze list). By paragraph 5 of resolution 1532 (2004), the Council further decided that it would review the measures imposed by

paragraph 1 of that resolution at least once a year; no expiration date for those particular measures was provided in the resolution, however.

5. A summary of the imposition and extension of the various sanctions measures (excluding the assets freeze) together with the mandates of the Panel of Experts is contained in the table below:

Resolution number and date	*Arms embargo and travel ban extended for*	*Diamond sanctions extended for*	*Timber sanctions extended for*	*Panel of Experts established/ extended for*	*Symbol of Panel's report*
Resolution 1521 (2003) 22 December 2003	12 months	12 months	12 months	5 months	S/2004/396 and Corr.1 and 2
Resolution 1549 (2004) 17 June 2004	n/a	n/a	n/a	6 months	S/2004/752 S/2004/955
Resolution 1579 (2004) 21 December 2004	12 months	6 months	12 months	6 months	S/2005/176 S/2005/360
Resolution 1607 (2005) 21 June 2005	n/a	6 months	n/a	6 months	S/2005/745
Resolution 1647 (2005) 20 December 2005	12 months	6 months	6 months	6 months	S/2006/379
Resolution 1689 (2006) 20 June 2006	n/a	6 months	(not renewed)	6 months	S/2006/976
Resolution 1731 (2006) 20 December 2006	12 months	6 months	n/a	6 months	S/2007/340
Resolution 1753 (2007) 27 April 2007	n/a	(terminated)	n/a	n/a	n/a
Resolution 1760 (2007) 20 June 2007	n/a	n/a	n/a	6 months	S/2007/689
Resolution 1792 (2007) 19 December 2007	12 months	n/a	n/a	6 months	S/2008/371
Resolution 1819 (2008) 18 June 2008	n/a	n/a	n/a	6 months	S/2008/785
Resolution 1854 (2008) 19 December 2008	12 months	n/a	n/a	12 months	

6. Notably, by its resolution 1683 (2006), the Security Council, welcoming the leadership of the newly elected President and her efforts to restore peace, security and harmony throughout Liberia, modified the arms embargo to incorporate additional exemptions for the Liberian Special Security Service and, subject to advance approval by the Committee, for members of the Liberian police and security forces who have been vetted and trained since the inception of the United Nations Mission in Liberia (UNMIL) in October 2003.

7. By its resolution 1688 (2006), the Council decided that the travel restrictions imposed by resolution 1521 (2003) would not apply to former President Taylor for the purposes of any travel related to his trial before the Special Court for Sierra Leone, as well as any travel related to the execution of the judgement, and also to exempt from the travel ban the travel of any witnesses whose presence at the trial was required.

8. By its resolution 1689 (2006), the Council, concluding that sufficient progress had been made in meeting the conditions set out for terminating the measures on timber, decided not to renew the prohibitions on the import of round logs and timber products from Liberia; however, it also decided to review that decision after a period of 90 days and expressed its determination to reinstate the measures, unless forestry legislation as specified in the resolution had been passed. During the review, held on 20 October, the members of the Council concluded that there was no basis for reinstating those measures as otherwise stipulated in the resolution.

9. By its resolution 1731 (2006), the Council, recognizing the need for newly vetted and trained Liberian security forces to assume greater responsibility for national security, and taking note of the need for Liberian armed forces to procure humanitarian, medical and/or training equipment, further modified the arms embargo to exclude supplies of non-lethal military equipment.

10. By its resolution 1753 (2007), the Council, concluding that sufficient progress had been made in meeting the conditions set out for terminating the measures on diamonds, decided to terminate those measures, almost two months ahead of their date of expiration as set by resolution 1689 (2006).

11. By its resolution 1792 (2007), the Council also decided that States would notify the Committee upon delivery of all arms and related materiel approved and supplied in accordance with paragraph 2 (e) of resolution 1521 (2003).

12. During the reporting period, by its resolution 1819 (2007), the Council requested the Secretary-General to renew the mandate of the Panel of Experts appointed pursuant to paragraph 1 of resolution 1760 (2007) to provide the Committee with information regarding the implementation of the remaining measures (arms embargo, travel ban and assets freeze) and to assess the implementation of Liberia's forestry legislation of 2006 and compliance with the Kimberley Process Certification Scheme. The Council later extended the mandate of the Panel by resolution 1854 (2008), requesting the Panel to undertake the same tasks as under its previous mandate. In addition, the Panel was requested to assist the Committee in updating the publicly available reasons for listing for entries on the travel-ban and assets-freeze lists.

III. Summary of the activities of the Committee

A. Requests for exceptions to the measures

13. During the reporting period, the Committee considered and approved two requests, in accordance with paragraph 2 (e) of resolution 1521 (2003), for exceptions to the arms embargo: (a) to enable the United States Government to provide a series of training courses to the Liberian Special Security Service (communication dated 9 June 2008 from the United States Mission to the United Nations); and (b) to allow the transfer of ammunition from the UNMIL formed

police units of India and Jordan to United Nations police trainers for the purpose of firearms training of vetted officers of the National Police Training Academy.

14. The Committee considered and approved three requests, in accordance with paragraphs 2 and 3 of resolution 1683 (2006), for exceptions to the arms embargo: (a) to enable the United States Government to ship weapons and ammunition to Liberia to train and equip Liberian National Police officers who had been recruited to serve in the Emergency Response Unit (communications dated 11 January 2008 from the United States Mission to the United Nations and 14 January 2008 from the Permanent Representative of Liberia to the United Nations); (b) to allow the United States Government to ship equipment for the repair and maintenance of previously approved arms for use in a United States Government training programme for the Armed Forces of Liberia; and (c) to permit the United States Government to provide additional equipment and training to the Emergency Response Unit (communications dated 29 July 2008 from the United States Mission to the United Nations and 5 August 2008 from the Permanent Representative of Liberia to the United Nations).

15. In accordance with paragraph 4 of resolution 1683 (2006), the Committee received, during the report period, five reports from UNMIL on the results of the Mission's inspections of inventories of weapons and ammunition obtained in accordance with paragraphs 1 and 2 of that resolution, to ensure that all such weapons and ammunition were accounted for.

16. The Committee considered five requests for travel-ban waivers under paragraph 4 (c) of resolution 1521 (2003), of which one was granted. The Committee also received and approved two notifications, dated 3 June and 10 November 2008, respectively, from the Permanent Mission of Italy to the United Nations regarding the intention of the Government of Italy to authorize access to hitherto frozen funds in accordance with the exception set out in paragraph 2 (b) of resolution 1532 (2004), in order to recover certain expenses of an entity included on the assets-freeze list.

B. Review of the travel-ban and assets-freeze lists

17. During the reporting period, the Committee considered de-listing requests with regard to a total of 11 individuals from its travel-ban list (and assets-freeze list, where applicable). Of these, three requests were received from Member States (in connection with seven individuals) and four were submitted through the focal point process as set out in the annex to resolution 1730 (2006). Following its process of consideration, the Committee agreed to de-list the following individuals: Mr. Gerald Cooper on 27 March 2008; Ms. Wesseh Dennis, Mr. Gabriel Doe, Mr. Khalid El'Dine and Mr. Zarr Koffi on 21 May 2008; Mr. Montgomery Dolo on 12 June 2008; Mr. Moussa Cisse; Mr. Charles Bright on 10 November 2008; Mr. Jenkins Dunbar on 4 December 2008; and Mr. Gus Kouwenhoven on 15 December 2008.

18. In accordance with paragraph 6 (b) of the annex to resolution 1730 (2006), the Committee did not consider two de-listing requests received from the focal point since the designating State did not support those requests.

C. Implementation of the sanctions regimes

19. During the period under review, the Committee received no additional replies from States in response to its note verbale dated 20 January 2004; thus, the total number of replies received remains 17. Pursuant to paragraph 21 (b) of resolution 1521 (2003), the note verbale sought information from all States, particularly those in the subregion, about the actions they had taken to effectively implement paragraphs 2 (relating to the arms embargo), 4 (relating to the travel ban), 6 (relating to the diamond sanctions), and 10 (relating to the timber sanctions) of that resolution. (As noted above, the measures concerning timber were allowed to expire on 20 June 2006; the measures concerning diamonds were terminated on 27 April 2007.)

20. In its final report under resolution 1819 (2008), the Panel of Experts found no evidence of major violations of the arms embargo (see S/2008/785, para. 171). With respect to the travel ban, the Panel reported that it had received a number of reports of alleged travel by individuals on the travel-ban list; it believed, given the lack of capacity in the region to implement the travel ban, that it would not be surprising if those reports proved to be true (ibid., paras. 116 and 125).

21. The Committee received no additional replies from States in response to its note verbale of 14 June 2004; thus the total number of replies received remains 15. Pursuant to paragraph 4 (d) of resolution 1532 (2004), the note verbale sought information from all States regarding the actions they had taken to trace and freeze the funds, other financial assets and economic resources described in that resolution.

22. In its final report under resolution 1819 (2008), the Panel of Experts found no evidence of any additional assets being frozen during its mandate and noted that no assets of designated individuals had yet been frozen by the Government of Liberia (see S/2008/785, paras. 128 and 132).

D. Other activities

23. During informal consultations on 22 February 2008, the Committee discussed the programme of work of the Panel of Experts, whose mandate had been extended by the Security Council in resolution 1792 (2007). The members of the Committee also agreed that from that point on all future informal consultations of the Committee would be published in the daily *Journal of the United Nations*, as a way to enhance transparency in the Committee's work.

24. During informal consultations on 19 March 2008, the Committee considered a de-listing request received from the focal point for de-listing, in accordance with the de-listing procedure outlined in the annex to resolution 1730 (2006) and as incorporated into its guidelines.

25. On 7 May 2008, in informal consultations, members of the Committee considered a communication from a Member State proposing the removal of the name of one individual from the travel-ban and assets-freeze lists. The Committee also discussed two informal written updates dated 18 March and 18 April 2008, respectively, from the Panel of Experts, provided in response to the request set out by the Security Council in paragraph 5 (e) of resolution 1792 (2007).

26. On 21 May 2008, the Committee convened its 10th formal meeting, at which members considered a communication from a Member State proposing the removal

of five names from the travel-ban list. The Committee approved the removal of four names. The Committee subsequently agreed to remove the name of the fifth individual.

27. On 11 and 13 June 2008, the Committee discussed the report of the Panel of Experts submitted in accordance with resolution 1792 (2007) and considered the Panel's recommendations. In response, the Chairman of the Committee wrote to three Member States and the Chairman of the Kimberley Process drawing to their attention the relevant recommendation of the Panel, which the Committee had endorsed.

28. On 16 June 2008, the Chairman of the Committee briefed the Security Council on the recent work of the Committee, particularly its consideration of the report of the Panel of Experts.

29. On 31 July 2008, the Committee met with the reconstituted Panel of Experts to discuss the Panel's programme of work pursuant to resolution 1819 (2008). During the same informal consultations, the Committee also considered a de-listing request received from the focal point for de-listing.

30. During informal consultations held on 31 October 2008, the Committee considered a de-listing request received from the focal point for de-listing. The Committee also considered an informal written update provided by the Panel of Experts in accordance with paragraph 1 of resolution 1819 (2008).

31. During its informal consultations on 26 November 2008, the Committee considered two de-listing requests received from the focal point for de-listing.

32. On 5 and 12 December 2008, the Committee discussed the report of the Panel of Experts submitted in accordance with resolution 1819 (2008) and considered the Panel's recommendations. In response, the Chairman of the Committee wrote to six Member States and the Chairman of the Kimberley Process drawing to their attention the relevant recommendation of the Panel, which the Committee had endorsed.

33. On 15 December 2008, the Chairman of the Committee briefed the Security Council on the recent work of the Committee, particularly its consideration of the report of the Panel of Experts.

IV. Observations

34. The removal of the names of 10 individuals from the Committee's assets-freeze and travel-ban lists during 2008, as detailed in paragraph 17 above, is illustrative of the continuing trend towards the conditioned removal of sanctions related to Liberia, which began with the cessation of the prohibition on timber imports from Liberia in June 2006 and on rough diamond imports from Liberia in April 2007. Those de-listings were effected through requests from both Member States and the focal point for de-listing, demonstrating the effectiveness of both channels to pursue de-listings set out in the Committee's guidelines.